

# Federal Defenders OF NEW YORK, INC.

Leonard F. Joy  
Executive Director

## **BY HAND**

The Honorable William H. Pauley III  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 2210  
New York, New York 10007  
Fax Number: 212-805-6390

**Re: United States v. Michelle Falsetta  
07 Cr. 1232 (WHP)**

Dear Judge Pauley:

I write on behalf of my client, Michelle Falsetta, to respectfully request that the Court adjourn Ms. Falsetta's sentencing until January 2009. Because I am pregnant – and due on September 25, 2008 – the Court kindly tried to arrange an expedited sentencing in Ms. Falsetta's case for September 15, 2008 at 2 P.M. Because of a variety of scheduling conflicts, however, Ms. Falsetta did not complete her Pre-Sentence Interview until August 22, 2008, and there is simply not enough time for Probation to complete the Pre-Sentence Report, for the parties to review the PSR, and for the parties to make their submissions in appropriate time for a September 15, 2008 sentencing date. Because I expect to be out on maternity leave, the defense is requesting that Ms. Falsetta be sentenced in January 2009. I have conferred with Assistant United States Attorney Marissa Molé, who consents to this request on behalf of the Government.

Respectfully submitted,

*Fiona Doherty*

Fiona Doherty  
Attorney for **Michelle Falsetta**  
Tel: (212) 417-8734

cc: Marissa Molé, Esq.  
Assistant United States Attorney (by fax)

James Mullen  
United States Probation Officer (by fax)

APPLICATION GRANTED THE SENTENCING  
IS ADJOURNED TO JANUARY 9,  
SO ORDERED: 2008 AT 3:00 P.M.

*William H. Pauley III*  
WILLIAM H. PAULEY III U.S.D.J.  
9-2-08

USDC SDNY

DOCUMENT

Southern District

52 Duane Street - 10th Floor, New York, New York 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

DATE FILED:

Southern District of New York

John J. Byrnes  
Attorney-in-Charge

USDC SDNY

DOCUMENT

ELECTRONICALLY FILED September 2, 2008

DOC #:

DATE FILED: 9-3-08

WEND ENDORSED

ECF

SEP - 2 2008

CHAMBERS OF  
WILLIAM H. PAULEY  
U.S.D.J.